



TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 365] CHENNAI, TUESDAY, NOVEMBER 12, 2024
Aippasi 26, Kurothi, Thiruvalluvar Aandu-2055

Part III—Section 1(a)

**General Statutory Rules, Notifications, Orders, Regulations, etc.,
issued by Secretariat Departments.**

NOTIFICATIONS BY GOVERNMENT

RURAL DEVELOPMENT AND PANCHAYAT RAJ DEPARTMENT

THE TAMIL NADU PANCHAYATS (PROCEDURE FOR GRANTING PERMISSION FOR THE ESTABLISHMENT OF FACTORIES / INDUSTRIES AND THE INSTALLATION OF MACHINERIES) RULES, 2024

*[G.O.Ms. No.170, Rural Development and Panchayat Raj (PR-II), 12th November 2024,
ஜூப்ரி 26, குரோதி, திருவங்குருவர் ஆண்டு-2055.]*

No. SRO A-20(a)/2024.

In exercise of the powers conferred by clause (c) of sub-section (1) of section 161, 220 read with clause (XXV) of sub-section (2) of section 242 of the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994), the Governor of Tamil Nadu hereby makes the following Rules, namely:-

RULES.

1. Short title and commencement.— These Rules may be called the Tamil Nadu Panchayats (Procedure for granting permission for the establishment of factories/ industries and the installation of machineries) Rules, 2024.

2. Definitions.— In these Rules, unless the context otherwise requires, –

- (a) “**Act**” means the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994);
- (b) “**Built-Up Area**” means the total area of the industrial property;
- (c) “**Category of Enterprises**” means enterprises as listed in the Micro, Small and Medium Enterprises Development Act, 2006 (Central Act 27 of 2006);
- (d) “**Factory**” means a factory as defined in section 2(m) of the Factories Act, 1948 (Central Act 63 of 1948);
- (e) “**Government**” means the Government of Tamil Nadu;

- (f) "**Machinery**" means any equipment used to manufacture or produce goods that employ steam power, water power or other mechanical power or electrical power;
- (g) "**Others or Large Industry**" means any industries other than defined in Micro, Small and Medium Enterprises Development Act, 2006 (Central Act 27 of 2006)
- (h) Words and expressions used but not defined in these rules shall have the meanings respectively assigned to them in the Act.

3. Application for grant of permission.—(1) The owner or shareholder of the company for whom the permission is required under these rules, to establish a factory or industry and install machinery in a Panchayat shall submit an application to the Inspector of Panchayats through online mode in FORM 1 for such permission not less than 45 days and not more than 90 days before the place is used for such purpose.

(2) The application shall be accompanied with the following documents, namely:-

- (a) Any one of the following Identity proof such as Driving licence, Bank passbook, Post office Identity card, Electoral Photo Identity Card, Passport, Aadhaar Card (if voluntarily provided) and any other Government approved identity card in the case of individual and Permanent Account Number (PAN) Card or Incorporation Certificate in the case of body corporate;
- (b) Lease deed or Rental agreement or latest Property Tax receipt in case of property occupied by owner or latest Goods and Services Tax return clearly showing the address of the premises in which factory is intended to be established or machinery is intended to be installed for which permission is applied:

Provided that if the applicant does not have any valid address proof, he shall submit a sworn-in affidavit in FORM 2:

Provided also that if the applicant does not have tax return, he shall submit a sworn-in affidavit certifying the category of enterprise or Others or Large Industry for which the permission sought for in FORM 2.

(3) Every application for a permission under sub-rule (1) shall fulfil the following terms and conditions, namely: -

- (a) The applicant shall comply with the Tamil Nadu Combined Development and Building Rules, 2019;
- (b) The applicant shall obtain technical approval from the Department of Town and Country Planning or Chennai Metropolitan Development Authority, as the case may be;
- (c) Fire safety norms shall be followed and necessary certificate shall be obtained from the Tamil Nadu Fire and Rescue Services department.

4. Initial verification of application.—On receipt of application in the web portal, the Inspector of Panchayats has to verify whether the applicant has submitted all documents required for according permission. If any defect is noticed in the application, he shall return the application within **seven days** from the date of receipt of application directing the applicant to furnish missing particulars and the applicant shall furnish the particulars called for therein and rectify the defect in the application.

5. Forwarding of application for inspection.—On receipt of an application, after rectification if any, the Inspector of Panchayats shall forthwith forward the application to the Inspecting Authority.

6. Inspection by Inspecting Authority.—(a) Any officer appointed by the Inspector of Panchayats not below the rank of Assistant Director of Rural Development for Large and Medium enterprises and Block Development Officer (Village Panchayats) for Small and Micro enterprises as Inspecting Authority for the purpose of these rules after receipt of the application under rule 5 shall, if necessary, inspect the premises in which the establishment of factories and installation of machinery is to be carried out and demand permission fees raised by Assistant Director (Panchayats) as per the schedule within **fourteen days**. If such demand is not raised within fourteen days, the applicant may pay the fees based on the approved building plan and the information shared in FORM 1, for the purpose of deemed approval, subject to any increased amount that may be demanded subsequently based on detailed verification.

(b) The Inspecting Authority shall, before recommending or refusing to grant the permission, cause a full and complete investigation to be made having regard to,-

- (i) the suitability of the place in respect of which the permission is applied including compliance of all conditions mentioned in these rules;
- (ii) the possibility of any danger to life or health or property or the likelihood of any nuisance being created;
- (iii) also verify any river stream or channel, whether natural or artificial run through the proposed premises;
- (iv) any other matters that the Inspector of Panchayats deems necessary:

Provided that for Micro Enterprises, there shall be no field inspection, unless specifically directed by the Inspector of Panchayats.

(c) The Inspecting Authority shall submit his inspection report in FORM 3 through online.

7. Grant of Permission.— (1) After the receipt of report from the Inspecting Authority, and based on the fulfillment of terms and conditions stipulated in sub-rule (3) of rule 3, the Inspector of Panchayats may either grant permission in FORM 4 subject to the payment of fees specified in the Schedule through online mode or refuse to grant the permission for reasons to be recorded in writing and intimate the same to the applicant through online:

Provided that no permission shall be refused without giving an opportunity of being heard to the applicant.

(2) The Permission granted under sub-rule (1), shall be subject to the following terms and conditions:-

- (a) No activity prohibited by any law in force shall be carried out at the premises;
- (b) The grantee shall cause the flooring of the premises to be paved or otherwise rendered impervious and suitably drained and at all times be maintained in good order and condition;
- (c) The grantee shall cause the premises to be cleaned and prevent any accumulation of filth or refuse therein;
- (d) The grantee shall comply with all the provisions of the Solid Waste Management Rules, 2016;
- (e) The grantee shall cause such means of ventilation and lighting as may be provided in or in connection with the said premises to be maintained at all times in good order and efficient action;
- (f) Permission issued by the Inspector of Panchayats shall be displayed in a prominent place;
- (g) The grantee shall provide access to the premises, without notice, for inspection by the Inspector of Panchayats or any officer authorized by him on his behalf at any time by day or by night when such premises is being used;

- (h) The grantee shall provide suitable covered receptacles in suitable places in such premises for the deposit of all refuse matters and shall cause such receptacles to be emptied at least once in every 24 hours in a hygienic manner;
- (i) No product banned by the Government, shall be displayed or exposed for sale or use to the customers;
- (j) The grantee shall cause every part of the structure of every latrine and water closet in such premises if available, to be maintained, at all times, in good order and every part of the apparatus of such latrine or water closet and every drain or means of drainage leading there from to be maintained, at all times, in good order and efficient action;
- (k) The grantee shall cause such premises to be thoroughly swept, washed and cleansed at least once in every 24 hours and shall prevent any accumulation of filth or refuse therein except in the covered receptacles;
- (l) The grantee shall, at all times, take suitable steps to keep every building in such premises free from rats or other rodents;
- (m) The person suffering from an infectious or contagious disease shall not be employed by the grantee;
- (n) The grantee shall, immediately on knowing that any person in the premises is suffering from any infectious, contagious or dangerous disease, adopt such precautions as may be necessary to prevent the spread of infection and inform the Primary Health Center and concerned Panchayat;
- (o) The grantee shall display the sign board of the Factory or Industry in Tamil.

8. Deemed approval.—Where the application for permission for establishment of factory or industry and the installation of machineries is not disposed of within a period of **forty five days from the date of receipt of the application**, the permission applied therein **shall be deemed to have been granted on expiry of such said period, and the permission fee has been duly remitted by the applicant**.

9. Revocation or suspension of permission. — (1) Where the Inspector of Panchayats either *suo-motu* or on a representation from general public has reason to believe that,—

- (a) the permission has been fraudulently obtained;
- (b) the permission has been used for the purpose other than the purpose for which the permission has been granted;
- (c) any condition of the permission has been contravened, he shall call upon by notice in writing, stating grounds, to show cause within seven days as to why the permission should not be revoked or suspended.

(2) On examining the reply received and giving by the person and an opportunity of being heard, the Inspector of Panchayats may either,—

- (i) revoke the permission; or
- (ii) suspend the permission with such directions as he may deem necessary; or
- (iii) drop further action, if he is satisfied that no further action is needed.

(3) A suspended permission may be revived on an application to the Inspector of Panchayats, if he is satisfied that the directions have been duly complied with.

10. Appeal. — (1) If any person is aggrieved by the order of the Inspector of Panchayats in refusing to grant or cancelling or suspending permission, may appeal to the Director of Rural Development and Panchayat Raj in FORM 5 through online within **thirty days** from the date of receipt of the order, appeal against the order or appeal against the grievance with respect to non – adherence to the time limits which has prescribed in sub-rules (3) and (5) of rule 4, as the case may be, apply.

(2) Every appeal preferred under sub-rule (1) shall set out the grounds of the appeal in precise terms enclosing a copy of the order against which the appeal is preferred and shall be presented in the office of the Director of Rural Development and Panchayat Raj or sent to him by registered post. Such appeal shall be disposed of by the Director of Rural Development and Panchayat Raj, within a period of **sixty days** from the date of receipt of appeal.

11. Inspection of premises. — The Inspector of Panchayats, or any officer authorised by the Inspector of Panchayats may, without notice, enter any premises used for carrying out construction of factory or industry and the installation of machineries for which a permission is required under these Rules to inspect the premises, selected at random or if he has reason to believe that an act is being done in the premises without a permission or in any manner inconsistent with the permission or conditions of the permission and after carrying out randomized inspection, he may,—

- (a) by notice, require the person so doing such act, to alter, remove or as far as practicable, restore to its original state, the whole or any part of any property, movable or immovable, public or private affected thereby within a time specified in the notice; and
- (b) take all such steps as may be necessary to prevent the continuance of such act.

12. Lock and seal. — If construction of factory or industry and the installation of machineries for which permission is required under these Rules, is carried on without permission or if permission has been cancelled, if it continues to violate the conditions of the permission or if orders of the Inspector of Panchayats are not obeyed within the time prescribed, the Inspector of Panchayats or any officer authorised by him may lock and seal the premises and also initiate criminal action therefor:

Provided that no premises shall be locked and sealed without providing an opportunity of being heard to the owner as well as the occupier of the premises.

SCHEDULE.

(see rule 7)

THE TABLE.

<i>Sl. No.</i>	<i>Category</i>	<i>Built-up Area Fee per Sq. meter (Rs.)</i>	<i>Basic amenities Development charges to the Village Panchayats (Rs.)</i>
(1)	(2)	(3)	(4)
1	Micro	Rs 150/-	2% of Investment in Plant & Machinery or equipment as mentioned in FORM 1
2	Small		5,00,000/-
3	Medium		7,50,000/-
4	Other or large Industry		10,00,000/-

FORM 1
[see rule 3(1)]

**APPLICATION FOR GRANT OF PERMISSION TO ESTABLISH FACTORIES / INDUSTRIES AND THE
INSTALLATION OF MACHINERIES**

District :

Block:

Panchayat :

PHOTO

1	Name and address of the applicant	:	
2	Name of the Factory/ Industry	:	
3	Address of the registered office	:	
4	Address of the Factory/ Industry	:	
5	Category of Factory/Industry	Micro/ Small/ Medium/ Other or Large industry *	
6	PAN No.		
7	Proposed date of commencement		
8	Mobile No. of the applicant		
9	e-mail ID of the applicant		
10	Total area of the Factory/ Industry including vacant area (in Sq.Meter)		
11	(i) Whether applicant is the owner of the place? (ii) If no, please provide name and mobile number of the owner	:	
12	Identity Proof of Applicant: (i) Driving Licence (ii) Bank Passbook (iii) Postal ID (iv) Electoral Photo Identity Card (v) Passport (vi) Aadhaar (if voluntarily provided)	<input type="checkbox"/>	
13	Property Tax assessment No.	:	
14	GST No. (If applicable)	:	
15	Amount of Investment in Plant & Machinery or equipment of the Factories / Industries		

DECLARATION

I..... hereby declare that the particulars furnished above are true and correct to the best of my knowledge and if anything herein is found incorrect, action may be taken against me under the relevant Rules.

Place:

Date:

Signature of the Applicant

[*strikeout whichever is not applicable.]

List of documents to be enclosed:

- (1) ID proof with ID Number (as mentioned in column 12)
- (2) Address proof (Lease Deed/ Rental Agreement/ GST registration details/ Affidavit)
- (3) Micro, Small and Medium Enterprises category proof.
- (4) Building Permit issued by the Executive Authority.
- (5) Fire License
- (6) Building Plan approval issued by DTCP or CMDA as the case may be.
- (7) Completion Certificate.

CHECKLIST

Sl. No.	Details	Applicant Remarks (Y/N)
1	Whether there is any deviation from Building Plan or any other violation of Building Rules?	
2	Are there any illegal activities carried out in the premises?	
3	Whether proper flooring and drainage are provided?	
4	Whether any River stream or channel, whether natural or artificial, runs through the premises?	
5	Whether arrangements are made to keep the place clean and free of filth and dustbins are provided?	
6	Whether sufficient ventilation and lighting is available?	
7	(i) Whether the business is a bulk waste generator under Solid Waste Management Rules, 2016?	
	(ii) If Yes, whether arrangements made for segregation and disposal of dry and wet waste?	
8	(i) Whether fire safety clearance is necessary under the Tamil Nadu Fire Service Act, 1985 (Tamil Nadu Act 40 of 1985)?	
	(ii) If Yes, whether clearance is obtained from Tamil Nadu Fire and Rescue Services Department?	
9	Whether toilets are maintained in a clean and sanitary manner with safe disposal of waste? (for Large, Medium and Small Enterprises)	
10	Whether Tamil Signboard is displayed?	

DECLARATION

I..... hereby declare that the particulars furnished above are true and correct to the best of my knowledge and if anything herein is found incorrect, action may be taken against me under the relevant Rules.

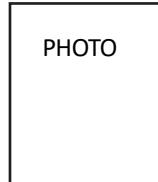
Place:

Date:

Signature of the Applicant

FORM 2**[see rule 3(2)]****AFFIDAVIT TO BE FURNISHED BY THE APPLICANT ALONG WITH APPLICATION FORM FOR GRANTING PERMISSION FOR THE ESTABLISHMENT OF FACTORIES / INDUSTRIES AND THE INSTALLATION OF MACHINERIES**

.....VILLAGE PANCHAYATPANCHAYAT UNION,.....DISTRICT



I son/daughter/wife* of aged years residing at (mention full postal address including pincode), do hereby, solemnly affirm and state on oath as under:-

[*Please strikeout whichever is not applicable.]

- (1) I am the proprietor of the business concerned namely " " at Door No. Street, Location
- (2) I have started the above business/trade from
- (3) I do not have valid rental agreement/lease deed with the owner of the premises.
- (4) As I have not registered with the Commercial Taxes Department, I do not have Goods and Services Tax number.
- (5) As I am not the owner of the above Property, I do not have the latest Property Tax receipt or assessment order.
- (6) I shall abide by all the rules and regulations of the Government/local body for running my trade.

VERIFICATION

I, the applicant, above named, do hereby verify and declare that the contents of this affidavit are true and correct to the best of my knowledge and belief and no part of it is false and nothing material has been concealed therefrom.

Place:

APPLICANT / DEPONENT

Date:

Solemnly affirmed and signed before me

at.....

Verified at this the day of

Instructions:

Advocate / Notary Public

1. Affidavit shall be filed along with the application Form.

2. The affidavit should be prepared in non-judicial stamp paper of Rs.100/- (Rupees hundred only).

FORM 3

[see rule 6 (c)]

INSPECTION REPORT OF THE INSPECTING AUTHORITY FOR ISSUE OF PERMISSION TO ESTABLISH
FACTORIES / INDUSTRIES AND THE INSTALLATION OF MACHINERIES

(To be filled based on scrutiny of records or based on inspection, if necessary)

Name and Designation of the Inspecting Authority:

Date of Inspection:

Sl. No.	Details	Applicant Remarks (Y/N)	Remarks of the Inspecting Officer*
1	Whether there is any deviation from Building Plan or any other violation of Building Rules?		
2	Whether any River stream or Channel, whether natural or artificial, runs through the premises?		
3	Whether arrangements are made to keep the place clean and free of filth and dustbins are provided?		
4	Whether sufficient ventilation and lighting is available?		
5	(i) Whether the business is a bulk waste generator under Solid Waste Management Rules, 2016?		
	(ii) If Yes, whether arrangements made for segregation and disposal of dry and wet waste?		
6	(i) Whether fire safety clearance is necessary under the Tamil Nadu Fire Service Act, 1985 (Tamil Nadu Act 40 of 1985)?		
	(ii) If Yes, whether clearance is obtained from Tamil Nadu Fire and Rescue Services Department?		
7	Whether toilets are maintained in a clean and sanitary manner with safe disposal of waste? (For Large, Medium and Small Enterprises)		
8	Whether Tamil Signboard is displayed?		
9	Whether No Objection Certificate obtained by the applicant as below: (Yes/No)		
	(a) Concerned to operate, if applicable, issued by the competent authority of the Tamil Nadu Pollution Control Board?		
	(b) Factory Registration and License issued by the competent authority of the Directorate of Industrial Safety and Health?		
10	Recommendation of the Inspecting Authority (If not recommended, reasons to be mentioned in detail)		

* The Inspection of the Inspecting Officer is not mandatory.

Place:

Date:

Name, Designation and Signature
of Inspecting Officer

FORM 4

[see rule 7(1)]

Proceedings of the Inspector of PanchayatsDistrict

Present : Thiru.....

Rc.No

/ Section No. / Year

dated : . . .

Sub: Grant of permission to establish factories / industries and the installation of machineries -
..... Village PanchayatPanchayat Union -Factory /
Industry – Applied – Permission granted – Reg.

Ref:

1. Tamil Nadu Panchayats (Procedure for granting permission for the establishment of factories / industries and the installation of machineries) Rules, 2024.
2. Thiru....., Application dated:
3. Inspection report received from Inspecting Authority dated:

Order:

In exercise of the powers conferred under section 160 of the Tamil Nadu Panchayats Act,1994 (Tamil Nadu Act 21 of 1994) and in pursuance of Rule 5 of the Tamil Nadu Panchayats (Procedure for granting permission for the establishment of factories / industries and the installation of machineries) Rules, 2024, permission is hereby granted to establish thefactory / industries and installation of machineries in the factory / industry subject to the following conditions.

Conditions:

1. The applicant should not deviate the building plan approved by the Director of Town and Country Planning / Chennai Metropolitan Development Authority as produced at the time of seeking permission.
2. No activity prohibited by any law in force shall be carried out in the premises.
3. The flooring of the premises to be paved or otherwise rendered impervious and suitably drained and at all times be maintained in good order and condition.
4. The premises shall be cleaned and shall prevent any accumulation of filth or refuse therein.
5. All the provisions of the Solid Waste Management Rules, 2016 to be complied with.
6. Every part of the internal surface of the walls and ceiling of every building upon the said premises to be whitewashed or painted regularly.
7. Ventilation and lighting as may be provided in or in connection with the said premises to be maintained at all times in good order and efficient action.
8. Permission order shall be displayed in a prominent place of the factory / industry.

9. The premises, shall be opened with or without notice, for inspection by Inspector of Panchayats or any officer authorized by the Inspector of Panchayats on this behalf at any time by day or by night when such premises is being used.

10. Covered receptacles shall be kept in suitable places in such premises for the deposit of all refuse matter and shall cause such receptacles to be emptied at least once in every twenty four hours in a hygienic manner to be provided.

11. No product banned by the Government, shall be displayed or exposed for sale or use to the customers.

12. Every part of the structure of every latrine and water closet in such premises, if there as per provision, to be maintained, at all times, in good order and every part of the apparatus of such latrine or water closet and every drain or means of drainage leading there from to be maintained, at all times, in good order and efficient action.

13. The premises to be thoroughly swept, washed and cleansed at least once in every 24 hours and shall prevent any accumulation of filth or refuse therein except in the covered receptacles.

14. At all times, take suitable steps to keep every building in such premises free from rats or other rodents.

15. The person suffering from an infectious or contagious disease shall not be employed.

16. Immediately on knowing that any person in the premises is suffering from any infectious, contagious or dangerous disease, adopt such precautions as may be necessary to prevent the spread of infection and inform the Primary Health Center and Panchayat concerned.

17. The sign board of the Factory should be displayed in Tamil.

18. Fire safety norms shall be followed.

If terms and conditions as mentioned above are not obeyed or any violation of conditions of the permission is noticed, the factory / industry may be locked and sealed and also criminal action may be initiated therefor.

Inspector of Panchayats,

.....District.

To

Thiru.....

Copy submitted to the Director of Rural Development and Panchayat Raj, Chennai-15.

Copy to the District Manager, District Industries Center,.....District.

Copy to the Block Development Officer(V.P),.....Panchayat Union.

Copy to the Executive Officer/ President,Village Panchayat.

FORM 5

[see rule 10 (1)]

**APPEAL AGAINST THE ORDER OF THE INSPECTOR OF THE PANCHAYATS IN REFUSING TO GRANT OR
IN CANCELLING / SUSPENDING* THE LICENCE APPLIED FOR PERMISSION OF ESTABLISHMENT OF
FACTORIES / INDUSTRIES AND THE INSTALLATION OF MACHINERIES**

..... VILLAGE PANCHAYAT
 PANCHAYAT UNION
 DISTRICT

To

The Appellate Authority,

1. Applicants full name :

2. Address :

3. Place of Business :

(1) I had applied onin Formfor grant of license for.....to the Inspector of Panchayats.....District. I enclose a copy of the application.

(2) I was holding licence No.datedand copy of the same is enclosed.

(3) By his order No.....dated.....the Inspector of Panchayats, has refused to grant the licence/suspended/cancelled* my licence. I enclose a copy of the said order.

(4) Being aggrieved by the said order, I hereby appeal against the order. I pray that the Inspector of Panchayats, be directed to grant the licence applied to revoke the suspension/cancellation order*.

(5) I received the intimation of the said order on

(6) This appeal is/is not* filed within thirty days from which, I received the intimation of the said order.

(7) Grounds of appeal (in brief):

(i) Survey Number of the premises: Sl. No..... Village Taluk,

(ii) Planning/Building permission details:

(iii) No Objection Certificate / Approvals obtained from any Government Department:

(iv) Other grounds, if any:

(8) The application submitted to the Inspector of Panchayats on.....is not considered and forwarded to the Inspecting Authority as per rule 6 of these rules.

(9) The application forwarded to the Inspecting Authority by the Inspector of Panchayats onis not considered within the time limit prescribed as per sub-rules (3) and (5) of rule 4 of these rules.

DECLARATION

I hereby declare that the contents of the above appeal are true and correct to the best of my knowledge and belief.

Place:

Signature of the Appellant

Date:

[*strikeout whichever is not applicable.]

GAGANDEEP SINGH BEDI,
Additional Chief Secretary to Government.